

Highlights in SWAM Purchasing Program

Provided below are highlights and critical dates relating to the SWAM Program initiative. Critical dates are included to provide a historical perspective on the actions taken affecting the program.

DATE	Issuing Authority	Highlights
July 2, 2002	Gov. Mark Warner	Executive Order 29 establishes equal opportunity in state procurement. Required each Cabinet official to submit, no later than August 15, 2002, a plan from each agency/institution within the Secretariat, to facilitate the participation of small businesses and businesses owned by women and minorities in their purchasing programs. Authorized the Chief of Staff to develop a model written plan that would serve as a guide to agencies/institutions.
Aug. 13, 2002	Chief of Staff	Model Written Plan along with the requirement that a Procurement Champion be designated by the agency/institution.
Sept. 13, 2002	Gov. Mark Warner	Executive Order 35 Establishes the Governor's Advisory Commission on Minority Business Enterprise and charges the Commission with producing a report and recommendations by March 31, 2003.
Feb. 19, 2003	General Assembly	Legislature approves SJ 359 , requesting the development of a disparity assessment to determine the status of minority-owned business participation in the state's procurement programs.

Nov. 2003	Commission	<p>Report of the Minority Business Advisory Commission to Governor recommends, among other things, the completion of a procurement disparity study and the consolidation of state certification programs.</p>
Jan. 12, 2004	MGT of America	<p>A Procurement Disparity Study of the Commonwealth of Virginia issued, providing findings and recommendations relating to minority and women-owned business participation in state purchasing programs.</p>
Jan. 20, 2004	Gov. Mark Warner	<p>Governor issues press release directing a Multi-Secretarial Task Force to develop a comprehensive program to address the critical issues identified by the <i>Disparity Study</i>, The Task Force was given 120-days to complete its work.</p>
March 21, 2004	General Assembly	<p>Legislature approves HB 1145 authorizing the Governor and localities to implement remedial programs when there exists a rational basis for small business enhancement or an analysis that documents statistically significant disparity between the availability and utilization of women- and minority-owned businesses. Effective date: July 1, 2004.</p>
June 23, 2004	Sec. Michael Schewel	<p>Following announcement by the Governor at the Virginia Business Opportunity Fair, Secretary announces at the Department of Business Assistance's (DBA) Quarterly Seminar the completion of the Multi -Secretarial Task Force's Report to the Governor and approval by the Governor of Multi- Secretarial Task Force's</p>

recommendations addressing the findings of the *Disparity Study*.

July 30, 2002	Chief of Staff	Bill Leighty, using the <i>Leadership Communique</i> ' (Aug.4), sends to all executive branch agencies/institution heads the Commonwealth's Remediation Plan to improve the levels of small, women, and minority business participation in state's purchasing programs. Establishes a 40 percent aspirational goal for small business participation. Directs all agencies/institutions to develop individual agency SWAM purchasing programs due by Sept.1 but no later than Oct. 1, 2004.
Aug. 1, 2004	DBA and DMBE	DBA transfers it's Woman-Owned Business Certification Program to DMBE as part of Governor's initiative to consolidate all state certification programs.
Aug. 4, 2004	DGS Purchasing	Revisions to the Agency Procurement and Surplus Property Manuel to implement the SWAM Procurement guidelines of the July 30, 2005 Memorandum from the Chief of Staff.
Aug. 11, 2004	DMBE	Using <i>Leadership Communique</i> ', DMBE forwards to all heads of agencies/institutions guidance for developing individual SWAM Purchasing plans.
Sept. 27, 2004	Chief of Staff	Chief of Staff notifies provides notice in the <i>Leadership Communique</i> ' of an additional tool , provided by the Governor, that may be used by agencies/institutions to pursue agency SWAM goals: the ability to set aside up to 30 percent of its discretionary dollars for small business.

Oct. 1, 2004	General Services eVA	Removal of self-certified small, women, and minority-owned business designations from the eVA system along with the requirement that future Quarterly SWAM reports will be based on the agency/institution's use of DMBE certified small, women, and minority-owned firms.
Oct. 1, 2004	DMBE and VDOT	VDOT's Disadvantaged Business Enterprise certification program transferred to DMBE as a part of the Governor's initiative to create a one-shop for small, women, minority, and disadvantaged business certifications.
Oct. 6, 2004	Sec. Sandra Bowen	Secretary of Administration, Sandra Bowen, issues Memorandum (<i>Leadership Communique'</i>) rescinding the order of former Secretary Ruby Martin which required in contracts over \$100,000, a subcontracting plan detailing the use of small, women, and minority-owned businesses.
Oct. 7, 2004	DGS Construction	Revisions to the Construction and Professional Service Manual incorporating SWAM requirements.
Oct. 8, 2004	DGS Purchasing	Revisions to the Agency Purchasing Manual to provide guidance for the small business set aside.
Nov. 17, 2004	Chief of Staff	Revisions to SWAM definitions that included minority and women-owned businesses in the definition of small business (<i>Leadership Communique'</i>).
March 21, 2005	Attorney General	Memorandum of Legal Advice

by the Solicitor General of the Office of the Attorney General regarding the Constitutionality of Preferences and Set Asides for Businesses Owned by Racial Minorities.

March 23, 2005	Chief of Staff	Guidance from the Chief of Staff following receipt by agencies/ institutions of the Memorandum from the Office of the Attorney General (OAG). Agencies and institutions advised to continue unchanged their SWAM programs pending the review of the OAG's communication by the Governor's Office.
May 16, 2005	DMBE	DMBE unveils On-line Certification Service designed to provide an easy and convenient solution to SWAM and DBE certifications.
TBA	Chief of Staff	Revisions to Commonwealth's SWAM Remediation Plan in accordance with guidance from the Office of the Attorney General, General Services, and DMBE.